

Message Text

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PAGE 01 PORT A 03773 062208Z
ACTION ARA-14

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FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC 6434
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E.O. 11652: N/A
TAGS: EIND, ELAB, HA
SUBJ: TEXT OF GOH DECREE REVISING MINIMUM WAGE

REF: PORT AU PRINCE 3594

1. ON SEPTEMBER 22, DURING THE CELEBRATIONS MARKING THE 20TH ANNIVERSARY OF DUVALIERIST RULE IN HAITI, PRESIDENT JEAN-CLAUDE DUVALIER ANNOUNCED THAT THE MINIMUM WAGE WAS BEING RAISED FROM \$1.30 TO \$1.60 A DAY. WHEN THE ACTUAL TEXT OF THE DECREE REVISING THE MINIMUM WAGE WAS RELEASED LAST WEEK (ALTHOUGH DATED SEPTEMBER 15) IT SET THE MINIMUM WAGE AS HIGH AS \$2.00 IN SOME INDUSTRIES, BUT IN NO CASE LESS THAN \$1.60. AN INFORMAL TRANSLATION OF THE TEXT OF THE DECREE, SCHEDULED TO GO INTO EFFECT ON OCTOBER 22, 1977, FOLLOWS.

2. BEGIN TEXT: ARTICLE I. AS OF OCTOBER 22, 1977, THE BASIC SALARIES TO BE PAID BY FIRMS IN THE INDUSTRIES LISTED ARE AS FOLLOWS:

A. FIRMS MANUFACTURING FOR EXPORT:

1) FURS AND FUR GARMENTS: \$2.00 PER DAY (FOR 8 WORKING HOURS) OR \$60.00 PER MONTH.

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2) ELECTRONIC COMPONENTS:

A) FOR THE FIRST 3 MONTHS OF TRAINING: \$1.60 PER DAY (8 HOURS) OR \$48.00 PER MONTH.

B) FROM THE FOURTH MONTH: \$2.00 PER DAY (8 HOURS) OR \$60.00 PER MONTH.

3) COMPONENTS AND ACCESSORIES FOR MECHANICAL INDUSTRIES:

\$2.00 PER DAY OR \$60.00 PER MONTH.

4) SHOES AND SHOE PARTS: \$1.80 PER DAY OR \$54.00 PER MONTH.

5) LEATHER PRODUCTS: \$1.80 PER DAY OR \$54.00 PER MONTH.

6) CASSETTES AND CARTRIDGES: \$1.80 PER DAY OR \$54.00 PER MONTH.

7) FISHING EQUIPMENT: \$1.80 PER DAY OR \$54.00 PER MONTH.

8) BASEBALLS AND SOFTBALLS: \$1.80 PER DAY OR \$54.00 PER MONTH.

9) EMBROIDERY:

A) HAND-EMBROIDERY: \$1.80 PER DAY OR \$54.00 PER MONTH.

B) MACHINE-EMBROIDERY: \$1.60 PER DAY OR \$48.00 PER MONTH.

10) WIGS: \$1.80 PER DAY OR \$54.00 PER MONTH.

11) ELECTRIC COMPONENTS: \$1.70 PER DAY OR \$51.00 PER MONTH.

12) PLASTIC PRODUCTS: \$1.60 PER DAY OR \$48.00 PER MONTH.

13) PLUSH TOYS, DOLS AND OTHER: \$1.60 PER DAY OR \$48.00 PER MONTH.

14) CLOTHES: \$1.60 PER DAY OR \$48.00 PER MONTH.

B. FIRMS MANUFACTURING FOR EXPORT AND NOT INCLUDED IN THE ABOVE CATEGORIES: \$1.70 OR \$51.00 PER MONTH.

2. ARTICLE II. AS OF OCTOBER 22, 1977, THE MINIMUM SALARY TO BE PAID TO ALL EMPLOYEES OF PRIVATE, AGRICULTURAL, COMMERCIAL AND INDUSTRIAL FIRMS NOT INCLUDED IN ARTICLE I, IS \$1.60 PER DAY OR \$48.00 PER MONTH.

4. ARTICLE III. WHEN THE EMPLOYEE IS A PIECE WORKER, THE UNCLASSIFIED

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SALARY PAID PER PIECE SHALL ALLOW THE WORKER A PAY OF 8 HOURS NIMUMUM WAGE STATED BY THE LAW.

5. ARTICLE IV. ANY AGREEMENT BETWEEN EMPLOYER AND EMPLOYEE WILL BE NULL AND VOID IF THE SALARY IS UNDER THE MINIMUM RATE PRESCRIBED BY LAW.

6. ARTICLE V. ANY EMPLOYER FOUND CONTRAVENING THE PROVISIONS OF ARTICLE I AND II OF THE PRESENT DECREE WILL BE LIABLE TO A FINE OF \$100 TO \$200 FOR EACH OFFENSE, THE PENALTY TO BE IMPOSED BY THE LABOR COURT, WITHOUT PREJUDICE TO ANY COMPENSATION OR DAMAGES DUE TO THE CONCERNED WORKERS. THE PROCEEDS OF ALL SUCH FINES SHALL BE PAID INTO THE SPECIAL ACCOUNT FOR THE DEPARTMENT OF LABOR AND SOCIAL AFFAIRS FOR THE PROMOTION OF ITS WORKERS' EDUCATION PROGRAM. IN CASE OF A REPEATED OFFENSE, THE FINE SHALL BE DOUBLED.

7. ARTICLE VI. THE PRESENT DECREE REPEALS ALL ACTS OR PROVISIONS OF ACTS, ALL DECREES OR PROVISIONS OF DECREES WHICH ARE CONTRARY THERETO. END TEXT.

8. THE MINIMUM WAGE WAS RAISED FROM \$.80 PER DAY TO \$1.30

PER DAY IN JANUARY 1974. THE 23 PERCENT INCREASE TO \$1.60
PER DAY PROMULGATED ON SEPTEMBER 22 IS CONSIDERABLY LESS THAN
THE 60 PERCENT PLUS THAT LIVING COSTS HAVE INCREASED SINCE
1974. THE NEW SCALE IS STILL THE LOWEST IN THE REGION AND
IS UNLIKELY TO HAVE ANY EFFECT ON HAITI'S EXPORT INDUSTRIES.

9. APPARENTLY SOME MANUFACTURERS (TO OUR KNOWLEDGE NONE
AMERICAN) WERE USING PIECE WORK PAY PLANS AND SO CALLED
APPRENTICE PROGRAMS TO CIRCUMVENT THE MINIMUM WAGE. THE
MULTI-LEVEL MINIMUM WAGE AND OTHER PROVISIONS OF THE
NEW REGULATIONS ARE DESIGNED TO END THIS FORM OF HUMAN
ABUSE.
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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
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Copy: SINGLE
Sent Date: 06-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Expiration:
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TAGS: EIND, ELAB, HA, (DUVALIER, JEAN-CLAUDE)
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